

In re Appln JEFFREY et al.
Appln. No. 09/459,670

saving an association between the virtual circuit identification with the address of the first device.

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Claim 35 (new): The computer medium of claim 32 having further computer-executable instructions for performing the step comprising transmitting data between the first device and the second device using the virtual circuit identification.

Claim 36 (new): The computer medium of claim 32, wherein the virtual circuit network is an asynchronous transfer mode network.

REMARKS

Original claims 1-18 have been examined. Claims 1-5, 7-10, and 12-17 are rejected as being anticipated by U.S. Patent No. 5,818,842 to Burwell et al. (herein "Burwell"). The remaining claims 6, 11, and 18 are rejected as unpatentable over Burwell in view of U.S. Patent No. 6,182,193 to Hamami (herein "Hamami") and U.S. Patent No. 6,226,680 to Boucher et al. (herein "Boucher").

An interview was held on April 4, 2003 between Grace Law (Applicants' representative) and Examiner Michael J. Molinari and Supervisory Patent Examiner Huy D. Vu. The discussion focused primarily on the application of Burwell to claims 1 and 3, but no agreement was reached during the interview. During the interview, the Examiner was asked to clarify the asserted corresponding structure of the virtual circuit recited in the claims.

APPLICANTS' RESPONSE

Section 112 rejection, Second Paragraph – Claim 18

Claim 18 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Since claims 1-18 are cancelled, without prejudice, the rejection of claim 18 is now moot.

Section 102 and 103 rejections – Claims 1-18

In an effort to expedite prosecution, Applicants cancel claims 1-18, without prejudice, and add new claims 19-36. In particular, independent claims 19, 24, and 32 are added to more clearly recite the features of the present invention, and claims 20-23, 25-31, and 33-36 depend from claims 19, 24, and 32, respectively. Applicants submit that none of the cited references disclose or suggest the features recited in new claims 19-36. In particular, Applicants submit that the cited references do not disclose or suggest the features of "saving an association of the first device with the request," "receiving a virtual circuit response from the second device, wherein the virtual circuit response contains a virtual circuit identification assigned for the virtual circuit connection," and then "saving an association between the virtual circuit identification with the first device" as recited in claims 19 and 32. The cited references further do not disclose the feature of "a packet switching program passing data between the first device and the second device based on the association" as recited in claim 24. Dependent claims 20-23, 25-31, and 33-36 are patentable for at least the reasons set forth above with regard to independent claims 19, 24, and 32, from which they respectively depend. However, Applicants reserve the right to present further arguments in the future with regard to the dependent claims in the event that the independent claims are found to be unpatentable. Accordingly, Applicants request the withdrawal of the rejections of cancelled claims 1-18 and the Examiner's consideration of new claims 19-36.

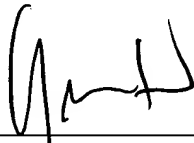
In view of the foregoing amendments and remarks, Applicants submit that the present application is in condition for allowance. An early and favorable action is earnestly requested.

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CONCLUSION

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, another telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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